IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

Steve Weinberg,	§	
	§	
Plaintiff,	§	
	§	
vs.	§	**Civil Action No. 3-06-CV2332-B**
	§	**ECF**
National Football League Players	§	
Association, Richard Berthelsen,	§	
Gene Upshaw,Tom DePaso,	§	
Trace Armstrong, Roger Kaplan,	§	
John Collins, Keith Washington,	§	
Tony Agnone, Howard Shatsky, and	§	
Mark Levin,	§	
	§	
Defendants.	§	

PLAINTIFF'S MOTION FOR JUDICIAL NOTICE OF ORDER AND OPINION

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1. Plaintiff filed Plaintiff's Supplemental Response to Defendant Roger Kaplan's Motion to Dismiss for Lack of Personal Jurisdiction on April 5, 2007. That pleading inadvertently referenced the Motion to Dismiss. This order actually relates to Plaintiff's Motion to Remand and Plaintiff requests that the Court take judicial notice of that order and opinion.

2. Accordingly, on March 29, 2007 the United States District Court for the Northern District of Georgia, Atlanta Division, issued an Order and Opinion in the case styled *Atwater v. The National Football League Players Association,* 1:06-CV-1510-JEC (N.D. Ga. filed June 23, 2006), which Plaintiff believes is relevant and persuasive authority as to Plaintiffs argument that his claims are not preempted.[1] Accordingly, Plaintiff respectfully requests the Court take judicial notice of the attached Order.

Respectfully submitted,

FRIEDMAN & FEIGER, LLP

By: /s/ R. Brian Shields
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ATTORNEYS FOR THE PLAINTIFF STEVE WEINBERG

[1] *See* Exhibit "A."

CERFICIATE OF CONFERENCE

I hereby certify that on this 6th day of April, 2007, I attempted to confer with counsel for Defendants to determine whether Defendants are opposed or unopposed to this Motion for Judicial Notice of Order and Opinion. Defendants would not agree to the relief sought in this Motion. Therefore, this Motion is presented to the Court for determination.

/s/ R. Brian Shields
R. Brian Shields

CERTIFICATE OF SERVICE

On April 6, 2007, I electronically transmitted the foregoing Plaintiff's Motion for Judicial Notice of Related Proceeding using the ECF System for filing a Notice of Electronic Filing to those parties registered for ECF in this case. I further certify that the foregoing document was served on all counsel of record by ECF.

/s/ R. Brian Shields
R. Brian Shields

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